IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION ST.NO.17981 OF 2004

IN

FIRST APPEAL ST. NO.14272 OF 2004

The Special Land Acquisition Officer
Kolhapur and another ...Applicants

Vs.

Vilas Chandar Mane
(since dead through L.Rs.)
a) Smt.Laxmibai V. Mane and ors. ...Respondents

CORAM: A.S.OKA, J.

DATED: AUGUST 10, 2004.

P.C.:

1. Heard learned A.G.P. for the State. The First Appeal is already admitted. The impugned Judgment and Award is under Section 18 of the Land Acquisition Act, 1894 and hence execution of the Award cannot be stayed unless the amount is deposited as the per the impugned Judgment and Award dated 20th December 2003.

2. Hence Civil application is disposed of by passing following order :

i) There will be interim relief in terms of prayer clause (b) subject to condition of the Appellants/Applicants depositing

the entire amount due and payable under the impugned Judgement and Award in the Reference Court within twelve weeks from today.

ii) If the amount is not deposited within the stipulated period, interim relief granted will stand vacated automatically.

iii) If the amount is deposited in the Reference Court, the Reference Court will allow the original Claimants to withdraw the said amount on furnishing security to the satisfaction of the Reference Court.

iv) If the amount deposited by the Appellants/Applicants is not withdrawn by the Respondent within a period of six months from the date of deposit, the Reference Court is directed to invest the said amount in Fixed Deposit in any Nationalised Bank. The fixed Deposit shall be renewed from time to time till the disposal of the Appeal.

v) As this Civil Application is disposed of without notice to the Respondents, liberty to the Respondents to apply for modification of this order.

Judge.